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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

| | |
|---|---|
| EBAY INC.,<br><br>Plaintiff,<br><br>vs.<br><br>DIGITAL POINTS SOLUTIONS, INC., SHAWN HOGAN; KESSLER'S FLYING CIRCUS; THUNDERWOOD HOLDINGS, INC.; TODD DUNNING; DUNNING ENTERPRISES, INC.; BRIAN DUNNING; BRIANDUNNING.COM; and DOES 1-20,<br><br>Defendants. | Case No. 08-4052<br><br>NOTICE OF TELEPHONIC APPEARANCE AT INITIAL CASE MANAGEMENT CONFERENCE<br><br>DATE: May 15, 2009<br>TIME: 10:30 a.m.<br>CTRM: 3<br><br>Hon. Jeremy Fogel presiding |

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT counsel for defendant Kessler's Flying Circus, Patrick K. McClellan, will appear telephonically at the Initial Case Management Conference set for May 1, 2009 at 10:30 a.m. in Department 3 of the above entitled Court.

Dated: May 4, 2009

LAW OFFICE OF PATRICK K. McCLELLAN

By: [signature]
PATRICK K. McCLELLAN
Attorney for Kessler's Flying Circus

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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing NOTICE OF TELEPHONIC APPEARANCE AT INITIAL CASE MANAGEMENT CONFERENCE was filed with the Court's Electronic Filing System on May 4, 2009 and may be accessed electronically.

/S/ Patrick K. McClellan
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